

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOY MURPHY and	:	No. 4:08-CV-1873
RANDALL MURPHY	:	
Plaintiffs,	:	Judge John E. Jones III
	:	
v.	:	
	:	
SELECT WAY INSURANCE	:	
COMPANY	:	
Defendant	:	

MEMORANDUM

September 22, 2009

This declaratory judgment action was filed, through counsel, by Plaintiffs Joy Murphy and Randall Murphy in the Court of Common Pleas of Dauphin County. The matter was subsequently removed to this Court by Defendant Selective Way Insurance Company (“Defendant” or “Selective”). As the case progressed, counsel for Plaintiffs moved to withdraw. The motion was granted, counsel withdrew, and the case was stayed for ninety days to allow Plaintiffs sufficient time to obtain new representation. No appearance of counsel has since been entered on behalf of Plaintiffs despite the suspension of this matter for a significant period of time.

On July 31, 2009, Selective filed a Motion for Summary Judgment (Doc. 17), moving the Court to declare that the maximum underinsured motorist coverage available to Plaintiffs for the accident of January 18, 2004 under the commercial auto policy issued by Selective, policy number S 1395610 is \$100,000.00, non-stacked. Pursuant to Local Rule 7.6, the time for Plaintiffs to file an opposition to Selective's Motion for Summary Judgment has elapsed without such a filing from Plaintiffs. Accordingly, and pursuant to Local Rule 7.6, we shall deem Defendant's Motion for Summary Judgment (Doc. 17) as unopposed and it shall be granted. An appropriate Order shall be filed.